

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RBC MANUFACTURING CORPORATION,

ORDER

Plaintiff,

13-cv-133-bbc

v.

POWER RIGHT INDUSTRIES, LLC
and LLOYD'S EQUIPMENT CO., INC.,

Defendants.

Defendant Lloyd's Equipment removed this case for breach of contract to federal court under 28 U.S.C. §§ 1441 and 1446, with the consent of defendant Power Right Industries. Dkt. #1. Lloyd's relies on 28 U.S.C. § 1332 as a basis for jurisdiction, which requires a showing that plaintiff and defendants are citizens of different states and that the amount in controversy is more than \$75,000.

In an order dated March 6, 2013, dkt. #6, I directed defendant Lloyd's to show cause why the case should not be remanded for lack of jurisdiction because the notice of removal did not show that the plaintiff and defendants have diverse citizenship. Although the deadline was March 20, 2013, defendant has not responded to the order, which means it has failed to meet its burden to show that jurisdiction is present. Accordingly, I am remanding the case to state court.

ORDER

IT IS ORDERED that this case is REMANDED to the Circuit Court for Marathon County for lack of subject matter jurisdiction.

Entered this 25th day of March, 2013.

BY THE COURT:

/s/
BARBARA B. CRABB
District Judge